

NOV 15 2023

US DISTRICT COURT  
WESTERN DISTRICT OF NC

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

UNITED STATES OF AMERICA	)	DOCKET NO. 3:23 CR 256-FDW
	)	
	)	<b><u>BILL OF INDICTMENT</u></b>
v.	)	
	)	Violations:
	)	21 USC § 846
ELIAN RENE FABIAN VALLADOLID	)	21 USC § 841(a)(1)
	)	18 USC § 2

**THE GRAND JURY CHARGES:**

**COUNT ONE**

*(Conspiracy to Distribute and Possess with Intent to Distribute Heroin,  
Fentanyl and Methamphetamine)*

From in or around June of 2022 and continuing until on or about January 18, 2023, in Mecklenburg County, within the Western District of North Carolina, and elsewhere,

**ELIAN RENE FABIAN VALLADOLID**

did knowingly and intentionally combine, conspire, confederate and agree with others, both known and unknown to the Grand Jury, to distribute and to possess with intent to distribute quantities of heroin, a Schedule I controlled substance, and quantities of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide ("fentanyl") and methamphetamine, Schedule II controlled substances, and in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

It is further alleged that, with respect to the conspiracy offense charged in Count One, 1 kilogram or more of a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, is attributable to, and was reasonably foreseeable by **ELIAN RENE FABIAN VALLADOLID**. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to **ELIAN RENE FABIAN VALLADOLID**.

It is further alleged that, with respect to the conspiracy offense charged in Count One, 400 grams or more of a mixture or substance containing a detectable amount of fentanyl, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **ELIAN RENE FABIAN VALLADOLID**. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to **ELIAN RENE FABIAN VALLADOLID**.

It is further alleged that, with respect to the conspiracy offense charged in Count One, 50 grams or more of “actual” methamphetamine, a Schedule II controlled substance, are attributable to, and were reasonably foreseeable by **ELIAN RENE FABIAN VALLADOLID**. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) is applicable to **ELIAN RENE FABIAN VALLADOLID**.

In violation of Title 21, United States Code, Section 846.

**COUNT TWO**

*(Distribution of Methamphetamine)*

On or about October 3, 2022, in Mecklenburg County, within the Western District of North Carolina,

**ELIAN RENE FABIAN VALLADOLID**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of “actual” methamphetamine.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**COUNT THREE**

*(Distribution of Methamphetamine)*

On or about October 13, 2022, in Mecklenburg County, within the Western District of North Carolina,

**ELIAN RENE FABIAN VALLADOLID**

aiding and abetting others known and unknown to the Grand Jury, did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of “actual” methamphetamine.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A), and Title 18, United States Code, Section 2.

**COUNT FOUR**

*(Distribution of Methamphetamine)*

On or about October 26, 2022, in Mecklenburg County, within the Western District of North Carolina,

**ELIAN RENE FABIAN VALLADOLID**

did knowingly and intentionally distribute a quantity of methamphetamine, a Schedule II controlled substance.

1. Said offense involved at least 50 grams of “actual” methamphetamine.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(A).

**COUNT FIVE**

*(Possession with Intent to Distribute Heroin, Fentanyl and Methamphetamine)*

On or about January 18, 2023, in and around an apartment on Waterford Tide Loop in Charlotte, Mecklenburg County, within the Western District of North Carolina,

**ELIAN RENE FABIAN VALLADOLID**

did knowingly and intentionally possess with intent to distribute quantities of heroin, a Schedule I controlled substance, and quantities of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide (“fentanyl”) and methamphetamine, both Schedule II controlled substances.

1. Said offense involved a mixture and substance containing a detectable amount of heroin. Accordingly, Title 21, United States Code, Section 841(b)(1)(C) applies.
2. Said offense involved at least 40 grams of a mixture and substance containing a detectable amount of fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(B) applies.
3. Said offense involved at least 50 grams of “actual” methamphetamine. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies.

In violation of Title 21, United States Code, Section 841(a)(1).

**COUNT SIX**

*(Possession with Intent to Distribute Heroin, Fentanyl and Methamphetamine)*

On or about January 18, 2023, in and around a storage facility on South Tryon Street in Charlotte, Mecklenburg County, within the Western District of North Carolina,

**ELIAN RENE FABIAN VALLADOLID**

did knowingly and intentionally possess with intent to distribute quantities of heroin, a Schedule I controlled substance, and quantities of N-phenyl-N-[1-(2-phenylethyl)-4 piperidinyl] propanamide ("fentanyl"), and methamphetamine, Schedule II controlled substances.

1. Said offense involved at least 1 kilogram of a mixture and substance containing a detectable amount of heroin. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies.
2. Said offense involved at least 400 grams of a mixture and substance containing a detectable amount of fentanyl. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies.
3. Said offense involved at least 50 grams of "actual" methamphetamine. Accordingly, Title 21, United States Code, Section 841(b)(1)(A) applies.

In violation of Title 21, United States Code, Sections 841(a)(1).

**NOTICE OF FORFEITURE**

Notice is hereby given of 18 U.S.C. § 982, 21 U.S.C. § 853, and 28 U.S.C. § 2461(c). Under Section 2461(c), criminal forfeiture is applicable to any offenses for which forfeiture is authorized by any other statute, including but not limited to 18 U.S.C. § 981 and all specified unlawful activities listed or referenced in 18 U.S.C. § 1956(c)(7), which are incorporated as to proceeds by Section 981(a)(1)(C). The following property is subject to forfeiture in accordance with Section 982, 853, and/or 2461(c):

- a. All property which constitutes or is derived from proceeds of the violations set forth in this bill of indictment;
- b. All property used or intended to be used in any manner or part to commit or facilitate such violations;
- c. All property involved in such violations or traceable to property involved in such violations; and

- d. If, as set forth in 21 U.S.C. § 853(p), any property described in (a), (b), or (c) cannot be located upon the exercise of due diligence, has been transferred or sold to, or deposited with, a third party, has been placed beyond the jurisdiction of the court, has been substantially diminished in value, or has been commingled with other property which cannot be divided without difficulty, all other property of the defendant to the extent of the value of the property described in (a), (b), and (c).

A TRUE BILL:

  
FOREPERSON

DENA J. KING  
UNITED STATES ATTORNEY

  
THOMAS KENT  
ASSISTANT UNITED STATES ATTORNEY